

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

IN THE MATTER OF
THE DIVISION OF WORK
CALENDAR YEAR 2004

§
§
§

Entered November 10, 2004

GENERAL ORDER NO. 2004-14

Amended Work Order

Adjustments to General Order 2004-1 are necessary due to the taking of senior status by Judge David Hittner on November 11, 2004.

Pursuant to 28 U.S.C. §137, these assignments are made and these procedures are adopted, effective November 11, 2004:

1. Chief Judge Hayden W. Head, Jr.
 - A. Retains the cases presently on his docket.
 - B. Receives 50% of all cases filed in the Corpus Christi Division.
 - C. Is the liaison judge to all court units, including the U.S. District Clerk's Office, the U.S. Probation Office, the U.S. Pretrial Services Office, the U.S. Bankruptcy Court, as well as to the U.S. Public Defender's Office, the U.S. Marshal's Service and the U.S. Attorney's Office.
2. Judge George P. Kazen
 - A. Retains the cases presently on his docket.
 - B. Receives 50% of all cases filed in the Laredo Division.
 - C. Is the liaison judge for the Laredo Division.
3. Judge Ricardo H. Hinojosa
 - A. Retains the cases presently on his docket.
 - B. Receives 50% of all cases filed in the McAllen Division.
 - C. Is the liaison judge for the McAllen Division.
 - D. Is the liaison judge for all interpreters in the district.

4. Judge Lynn N. Hughes

- A. Retains the cases presently on his docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Receives government collection cases filed in the Houston Division.
- E. Is the liaison judge for court history.
- F. Is the liaison judge to the Bankruptcy Court judges in the Houston Division.

5. Judge Kenneth M. Hoyt

- A. Retains the cases presently on his docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Is the liaison judge to the Public Defender's Office in the Houston Division.
- E. Is liaison judge for the Houston Division plan for the panel of private attorneys under the Criminal Justice Act, and is Chair of the CJA Panel Selection Committee.
- F. Receives all of the Breast Implant cases filed in the Houston Division under Special Order H-99-1.

6. Judge Sim Lake

- A. Retains the cases presently on his docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Is the liaison judge to the Houston Division Probation and Pretrial Services Offices.

7. Judge Melinda Harmon

- A. Retains the cases presently on her docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Is the liaison judge for the jury utilization and for the district's local rules.

8. Judge John D. Rainey

- A. Retains the cases presently on his docket.
- B. Receives 7.21% of all civil cases filed in the Houston Division.
- C. Receives all civil and criminal cases filed in the Victoria Division.
- D. Is the liaison judge for the Victoria Division.

9. Judge Samuel B. Kent

- A. Retains the cases presently on his docket.
- B. Receives all cases filed in the Galveston Division.
- C. Is the liaison judge for the Galveston Division.

10. Judge Ewing Werlein, Jr.

- A. Retains the cases presently on his docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Is the liaison judge to the magistrate judges in the Houston Division.

11. Judge Lee H. Rosenthal

- A. Retains the cases presently on her docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Is the liaison judge to the staff attorneys in the Houston Division.

12. Judge Janis Graham Jack

- A. Retains the cases presently on her docket.
- B. Receives 50% of all cases filed in the Corpus Christi Division.
- C. Is the liaison judge for the Corpus Christi Division.

13. Judge Vanessa D. Gilmore

- A. Retains the cases presently on her docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Coordinates all asbestos cases in the district except in the Corpus Christi and McAllen Division.
- E. Is the liaison judge to the United States Attorney's Office for matters of the Houston Division, and also for attorney disciplinary proceedings in the Houston Division.

14. Judge Nancy F. Atlas

- A. Retains the cases presently on her docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division.
- D. Is the liaison judge to the Alternative Dispute Resolution Programs.

15. Judge Hilda G. Tagle

- A. Retains the cases presently on her docket.

- B. Receives 50% of all cases filed in the Brownsville Division.
- C. Is the liaison judge for the Brownsville Division

16. Judge Keith P. Ellison

- A. Retains the cases presently on his docket.
- B. Receives 50% of all cases filed in the Laredo Division.

17. Judge Randy Crane

- A. Retains the cases presently on his docket.
- B. Receives 50% of all cases filed in the McAllen Division.

18. Judge Andrew S. Hanen

- A. Retains the cases presently on his docket.
- B. Receives 50% of all cases filed in the Brownsville Division.

19. Senior Judge David Hittner

- A. Retains the cases presently on his docket.
- B. Receives 11.11% of all criminal cases filed in the Houston Division.
- C. Receives 10.31% of all civil cases filed in the Houston Division, except:
 - (1). Bankruptcy Appeals (Nature of Suit 422);
 - (2). Bankruptcy Withdrawal of Reference (Nature of Suit 423);
 - (3). Patent Cases (Nature of Suit 830);
 - (4). ERISA Cases (Nature of Suite 791); and
 - (5). Class Actions (Requested in Complaint).
- D. Is the liaison judge in the Houston Division for its central library and for matters of the U.S. Marshal's Service in the Houston Division.

20. Houston's Miscellaneous Docket

- A. The miscellaneous docket in the Houston Division consists of those matters that arise before a civil or criminal proceeding is filed and assigned to a

judge, like naturalization ceremonies, grants of immunity to witnesses, and in forma pauperis applications.

- B. The miscellaneous docket judge summons and empanels grand and petit juries.
- C. Applications for restraining orders, preliminary injunctions, and similar emergency matters are to be handled by the judge to whom the matter is assigned. If that judge is not available and if the application requires immediate action, the assigned judge's staff will take it to the judge in charge of the miscellaneous docket.
- D. The Clerk shall present any questioned attorney admissions applications to the judge assigned the miscellaneous docket. That judge may either decide the admission question or submit the application to the Attorney Admissions Committee.
- E. The miscellaneous docket duties may be exchanged by consent with notice to the clerk and the chief judge.
- F. The 2003 schedule for the miscellaneous Docket is Appendix A.

21. General

- A. Whenever a judge is disqualified or recused in a case, the case initially shall be reassigned to another judge stationed in that division, according to the customary assignment procedure in that division. If all judges in a division are recused or disqualified, the case shall be reassigned as follows: a case in the Galveston Division shall be assigned to the Houston Division; a case in the Victoria Division shall be assigned to the Corpus Christi Division; a case in the Corpus Christi Division shall be assigned to the Victoria Division; a case in either the Laredo, McAllen, or Brownsville Divisions shall be randomly assigned within one of those three divisions. Any reassignment otherwise required will be done by the Chief Judge.
- B. Nothing in this order deprives a judge of jurisdiction in a matter. A judge may handle matters for another judge by consent.
- C. Matters affecting a liaison assignment should be brought first to the attention of the liaison judge who may handle routine administrative matters. Emergency questions involving court policies will be discussed with the chief judge and may be resolved by the liaison judge and chief judge. The chief judge shall report the emergency to the full court for discussion as promptly as possible.

- D. Judge Harmon is appointed Chair of the Attorney Admission Fund Committee and Judge Rainey is assigned as a member of that committee.
- E. Judge Hughes is appointed Chair of the Committee on Court Portraits, and Judges Hittner and Harmon are assigned as members of that committee.
- F. Judge Kazen is appointed Chair of the Court Automation Committee, and Judge Harmon, Judge Jack, Judge Atlas, Bankruptcy Judge Schmidt and Magistrate Judge Black shall serve as the judicial officer members of that committee.
- G. Judge Hittner is appointed Chair of the Court Reporter Liaison Panel, and Judge Rainey and Judge Jack are assigned as members of that Panel.
- H. The assignment of magistrate judges to district judges is Appendix B. Each Magistrate Judge in the Houston Division shall take the criminal docket for two months each year, except that Magistrate Judge Calvin Botley shall take the criminal docket for four months each year.
- I. The chief judge will call meetings of full court as needed and will select the time and place of the meetings. The judges in Houston will meet Tuesdays at noon.

Signed at Corpus Christi, Texas, November 10, 2004.

/s/
Hayden Head
Chief Judge

Appendix A

2004 Miscellaneous Docket-Houston Division

January	Judge Atlas
February	Judge Hughes
March	Judge Hittner
April	Judge Hoyt
May	Judge Lake
June	Judge Harmon
July	Judge Werlein
August	Judge Rosenthal
September	Judge Gilmore
October	Judge Atlas
November	Judge Hughes
December	Judge Hittner

Appendix B

Assignment of Magistrate Judges to District Judges

District Judges

George P. Kazen
Keith P. Ellison

Hilda G. Tagle &
Andrew S. Hanen (Jointly)

Hayden W. Head, Jr.

Janis Graham Jack

Ricardo H. Hinojosa
Randy Crane (Jointly)

Lynn N. Hughes
David Hittner

Kenneth M. Hoyt
Nancy F. Atlas

Sim Lake
John D. Rainey

Melinda Harmon
Ewing Werlein, Jr.

Samuel B. Kent

Lee H. Rosenthal
Vanessa D. Gilmore

Magistrate Judges

Marcel C. Notzon
Adriana Arce-Flores

John W. Black
Felix Recio

B. Janice Ellington

Jane Cooper-Hill

Dorina Ramos
To be named

Stephen W. Smith

Calvin Botley

Nancy K. Johnson

Frances H. Stacy

John R. Froeschner

Mary Milloy